



Summer 2006

Bureau Director's Message

By Kevin Kessler

We're happy to publish our second issue of *Air Matters*, the Bureau of Air Management's electronic newsletter. You will notice that this issue focuses largely on the permits portion of our program. A few years ago we launched an effort which had several major goals:

- simplify the permitting process to help save our customers time and transactional costs
- make information more readily available, and
- be more responsive to the needs of citizens' and permit applicants.

Our permit streamlining efforts are now starting to pay dividends. We've introduced a new type of air permit with an on-line application process, established a process to resolve permit disputes, created a guide to help citizens understand permits, developed a real-time web-based permit tracking system, and are proposing to expand the number of sources that will be exempt from the need to obtain a permit.

I hope you enjoy reading this issue of *Air Matters* and thanks for your interest in the air program. As always your feedback on our efforts and accomplishments is always welcomed.

- Kevin

Kessler is the Acting Director of DNR's Bureau of Air Management.

Registration Permits Are Here

By Kristin Hart

Registration permits are now available and ready for business. This new kind of air pollution control permit will streamline the work of obtaining a permit for small businesses in Wisconsin while at the same time continuing to ensure the environment is protected. The simple on-line application process takes only a fraction of the time to complete compared to a traditional air permit. Registration permits will be issued by the Department of Natural Resources within 15 days of receiving an application.

To be eligible for a Registration Permit, a facility must be willing to cap their air emissions at 25 tons per year for criteria air pollutants such as particulate matter, volatile organic compounds (VOCs), and sulfur dioxide (SO₂) and 2.5 tons per year of federally listed hazardous air pollutants such as toluene and xylene. Other

eligibility requirements are listed in a Registration Permit Fact Sheet available on the registration permit website at: <http://dnr.wi.gov/org/aw/air/apil/regpermits.html>.

The air program estimates that between 200 and 300 facilities will apply for this type of permit.

Benefits of a Registration Permit

The registration permit has many benefits that will reduce administrative burdens and associated costs for industry. In many cases, the Registration Permit will be the last air permit a small business ever has to receive from the department. Among the benefits are:

- Simple online application process
- DNR review within 15 days
- No construction permits needed for process changes
- No renewal applications because the Registration Permit never expires
- Lower administrative costs
- Emission caps based on actual, not potential, emissions
- Streamlined monitoring and recordkeeping requirements

Disadvantages of a Registration Permit

Although there are many benefits to getting a Registration Permit, this type of permit isn't for everyone. One disadvantage is that the Registration Permit will not specify all the requirements that a facility must meet to comply with applicable air pollution regulations. Facilities will need to figure this out for themselves.

To help facilities comply with state and federal air pollution rules, DNR has prepared a Registration Permit Compliance Assistance Guide with helpful resources and links.

Safe harbor provision

In addition, a safe harbor provision is available to protect facilities that self-report noncompliance within a specified time after discovery, as long as the facility has made and documented a good faith effort to identify all the air rules and requirements that apply to its operations.

Cost

Each participating facility will be charged a flat fee of \$1,100 for the first calendar year they are covered under the Registration Permit. This fee replaces the normal emission fees for that year and is not due until the next emission fee cycle. For each subsequent year, the facility will be charged a fee based on actual emissions (currently \$35.71/ton), the same as a facility covered under a traditional permit.

The administrative costs are potentially less than a conventional type permit since there will be no need to apply and pay for future construction permits, renewals or permit revisions. In addition, the administrative burden should be less because of the streamlined monitoring and recordkeeping requirements.

The following chart shows a comparison between a Registration Permit and a traditional permit.

	Registration Permit	Traditional Permit
First Year Fee (\$1,100)	Yes	No
Annual Emission Fee (\$35.71/ton)	Yes – but not until second year of operation	Yes – begins with first year of operation
Construction Permit (\$5,000)	No	Yes
5-Year Permit Renewal	No	Yes
Permit Revisions	No	Yes

How to apply

If a facility already has an air permit, it must request that the department revoke the permit *before* applying for a-Registration Permit. A revocation request form and a fact sheet are available on the [Registration Permits Web page](#). After receiving notification that the permit can be revoked, the applicant can then return to the Registration Permit Web site to [apply on-line](#) for a Registration Permit.

For more information

To learn more about Air Management's Registration Permit program or to apply for a-Registration Permit, please visit: <http://dnr.wi.gov/org/aw/air/apii/regpermits.html> or contact Kristin Hart at (608)273-5605, Kristin.Hart@dnr.state.wi.us.

Hart is a permit engineer in DNR's South Central Region.

Department Proposing to Expand Permit Exemptions

By Caroline Garber

The Department of Natural Resources is proposing two significant changes to its regulations on operation and construction permit exemptions. The exemptions would increase the number of facilities that will be exempt from the need to obtain an air pollution control permit.

The first change expands the number of construction and operation permit exemptions to include all facilities whose actual air emissions are less than 10 tons per year of criteria pollutants and that are not subject to certain federal standards or requirements. This would mean that any such facility under the 10 ton per year limit, irrespective of what type of equipment or process it operates, would be exempt from the need for a construction and operation permit.



The second change includes a construction permit exemption for small projects at existing larger facilities. New units or modifications to existing units would be exempt if the project's annual controlled emissions stayed at less than 10 tons per year and the project met the other construction permit exemption criteria. The facility owner or operator would still need to apply for an operation permit revision but could start the project immediately.

The proposed changes are specifically required by Act 118 (Jobs Creation Law) and Governor Doyle's Grow Wisconsin Plan. They were approved by the Natural Resources Board at its August 2006 meeting and will now be sent to the Legislature for review and then be submitted to US EPA for approval as a revision to the State Implementation Plan. Examples of sources that may be affected include small woodworking shops, shot blasting operations, and printing and coating facilities.

A copy of the proposed rule and supporting documentation is posted on the Administrative Rule Web Site at: <https://apps4.dhfs.state.wi.us/admrules/public/Rmo?nRmold=743>.

For more information, please contact Steve Dunn at 608-267-0566 or Steve.Dunn@dnr.state.wi.us

Garber is Permit Streamlining Workgroup Leader in the Bureau of Air Management.

Citizen's Guide to the Air Permit Process Now Available

By Jerry Medinger

A new non-technical pamphlet has been developed to help citizens better understand air pollution control permits and the Department of Natural Resources' permit review process, which can sometimes be confusing and difficult to understand.

The pamphlet explains what an air permit is, what the department can consider in reviewing a permit application, and how citizens can become more informed during the review process. Facilities new to permitting may also find the pamphlet useful as they consider submitting applications for review.

Copies of the pamphlet are available at [DNR offices located throughout the state](#) that have air program staff. It will be available at air permit public hearings. The pamphlet will also be distributed to people who have indicated they plan on commenting on a permit and to facilities going through the permit process for the first time. An electronic version of the pamphlet is on the Air Management Website at: <http://dnr.wi.gov/org/aw/air/citguide.htm>.

Boost public involvement

The pamphlet is a product of the department's Air Permit Improvement Initiative (APII), which established a customer service target that included making sure all parties are aware of how to participate in the permit process in a meaningful way. APII's Public Involvement Workgroup used a non-technical, easy to read format in preparing the pamphlet as well as other informational items listed below.

- *Plain English Air Permit Glossary*
<http://dnr.wi.gov/org/aw/air/permitting/faq/glossary.html>
- *Permit Step Diagram and Step-by-Step Descriptions*
<http://dnr.wi.gov/org/aw/air/permitting/process/11steps.html> (August 2005). Includes viewing instructions that explain how to obtain detailed information about each step.
- *Public Comment/Public Hearing Webpage* <http://dnr.wi.gov/org/aw/air/apii/publiccomment.html>.
- *Public Hearing PowerPoint Presentation*
http://dnr.wi.gov/org/aw/air/apii/documents/DNR_PublicHearingPresentation.pdf

For additional information on the Citizen's Guide or the other informational items, please contact Jerry Medinger at 414.263.8659 or Gerald.Medinger@dnr.state.wi.us.

Medinger is chief of the Transportation Section in DNR's Southeast Region.

Conflict Resolution Process Developed For Air Permits

By Rhonda O'Leary

The air program has developed a new conflict resolution process to help resolve issues between facilities seeking air permits and department permit writers. The informal process emphasizes good communication practices and is available on the internet at <http://dnr.wi.gov/org/aw/air/permits.html>.

Permit recipients have long expressed concerns about the lack of a process for resolving differences between themselves and air permit staff, short of involving elected officials or taking legal action. The informal conflict resolution process describes good communication practices designed to prevent problems and

misunderstandings from the start of the permit submittal and review process. In addition, in cases where differences of opinion still exist about a permit, the process clearly outlines the suggested steps to take to have the issue reviewed at other levels within the department.

The use of the informal conflict resolution process does not affect any rights to challenge, appeal, or contest permits or permit conditions as allowed under Wisconsin Statutes. It is simply an informal approach that can be used to help resolve concerns prior to permit issuance.

For further information, please contact Rhonda O'Leary at 715.355.9474 or Rhonda.O'Leary@dnr.state.wi.us



O'Leary is a permits and compliance engineer in DNR's West Central Region.

Permit Tracking Now on the Web

By Andy Stewart

A new [online tracking system](#) now allows the public real-time internet access on the status of air permits. The system provides detailed information regarding the permit application, including facility name and location, DNR contacts, key events such “application received” and “public noticed”, and other related permit documents.

Previously, this type of information was difficult to obtain and often available only by requesting it directly from a permit review engineer. Now you can easily search for permits and their status by using any combination of County, City, Facility Name, FID (Facility Identification Number), Permit Number, and Permit Type. In addition, if you're interested in a particular milestone for a specific permit, you can search for that as well.

For further information about the system, please contact Andy Stewart at 608.266.5499 or Andrew.Stewart@dnr.state.wi.us

Stewart is a data systems integration engineer with the Bureau of Air Management.

New Wisconsin Fuel Requirements for Stationary Diesel Engines

By Jon Heinrich



According to a new state rule, stationary diesel engines greater than 100 horsepower must purchase fuel oil with a sulfur content equal to or less than what is allowed by federal law. While the rule took effect July 14, 2006, it does not require the use of the lower sulfur fuel until it is available at the retail level. Also, all fuel purchased before the lower sulfur fuel is available can continue to be used. Sources potentially affected include asphalt plants, crushing operations, and other industries with generators.

The new rule was developed because of recent action by the United States Environmental Protection Agency (EPA) that

requires the use of ultra-low sulfur fuels (ULSD) in 2006 for highway diesel engines and 2007 for non-road diesel engines, used primarily in construction, industry and agriculture. While the federal requirement applies to highway and non-road diesel engines, the Department of Natural Resources believes ULSD will be equally effective at reducing emissions from stationary diesel engines; that is why ULSD was placed in the state's hazardous air pollutant rule (Chapter NR 445).

Both the federal and state regulations are designed to reduce air emissions of nitrogen oxides and fine particulate matter. Nitrogen oxides contribute to ozone formation, which is a serious air quality problem in the eastern half of the country. Ozone and fine particles are significant public health concerns that are associated with respiratory illnesses and premature deaths, primarily in children and the elderly.

To help explain the new state requirements for stationary diesel engines, the air program has developed a fact sheet that provides information on sulfur content in fuel, records for fuel purchases equipment for particulate control, and initial notification by a source if affected by the rule. The fact sheet also includes a list of contacts for questions and further information. To view the fact sheet, please see [New Requirements for Reducing Particulate Emissions from Stationary Diesel Engines](#).

Heinrich is chief of the Environmental Analysis & Outreach Section in the Bureau of Air Management.

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